IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 27859 of 2007(N)

PETITIONER:

MOHIUDDIN MOHAMMED, S/O. MOHIUDDIN @ MOHAMMED, AGED 68 YEARS, PUTHIYANTHAKATH, M.C.HOUSE, BLOCK BEACH ROAD, P.O. TANUR, MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:
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1. **THE UNION OF INDIA, REPRESENTED BY HOME SECRETARY, MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA, NEW DELHI.**

2. **THE SUPERINTENDENT OF POLICE, MALAPPURAM.**

3. **THE SUB INSPECTOR OF POLICE, TANUR.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD
BY ADV. SRI.P.PARAMESWARAN NAIR, ASST.S.G.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC,J.

W.P (C) No. 27859 of 2007

Dated this the 19th day of September, 2007

J U D G M E N T

Petitioner submits that subsequent to his arrival in India, he filed Exhibit-P1 application before the 1st respondent invoking the power under Section 9 (2) of the Indian Citizenship Act . He has also produced a postal receipt evidencing despatch of Ext.P1.

2. It is submitted that while awaiting orders on Exhibit-P1 he has been issued a quit notice. In the aforesaid circumstances this writ petition has been filed for a direction to the respondents to consider and pass orders on Exhibit-P1 and not to take any action in the meanwhile.

3. I heard the Learned Counsel for the respondents also. In view of the pendency Exhibit-P1 submitted by the petitioner before the 1st respondent, I direct the 1st respondent to consider and pass orders on Exhibit-P1, as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. Before orders are passed, petitioner shall given notice and an opportunity of personal

hearing. Until orders are passed as above, respondents 2 and 3 shall not take any action against the petitioner for arrest/detention or deportation.

The petitioner shall report before the 3rd respondent on every Monday hereafter.

The writ petition is disposed of as above.

(ANTONY DOMINIC, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007